S.B. Civil Writ Pet. NO.2517/06
Janta Samuhik Krishi Sahakri Samiti Ltd.
Vs.
State of Raj.& Ors.

Date of order : 29.05.2006

HON'BLE MR. GOVIND MATHUR, J.

Mr. Rakesh Arora for the petitioner.

The Collector, Sirohi passed the order dated 19.12.2003 while exercising the power under sub-rule 4 of the Rule 5 of the Rajasthan Land Revenue (Allotment of Land to Co-operative Socities) Rules, 1959.

The petitioner being aggrieved by the same, preferred an appeal under Sec. 75 of the Rajasthan Land Revenue Act, 1956 before the Revenue Appellate Authority, Jodhpur, that came to be rejected by order dated 26.9.2004.

Being aggrieved by the same, the petitioner preferred a second appeal under Sec. 76 of the Rajasthan Land Revenue Act before the Board of Revenue(Rajasthan). The Board of Revenue by the order dated 07.3.2006 rejected the request of the petitioner for interim direction to retain the possession of the land in dispute till disposal of the appeal and also vacated an ex-party interim order passed earlier.

In the instant petition for writ, validity, propriety and correctness of the order passed by the Board of Revenue dated 07.3.2006 is under challenge.

The Board of Revenue after considering the entire material available on record held by the order impugned, considering it appropriate to vacate the ex parte interim order and further not to accept the request for interim direction.

I do not find any just and valid reason to interfere with the discretion exercised by the Board of Revenue. The Board of Revenue has also not committed any error touching to the jurisdiction and also no manifest injustice is done. In view of it, no case is made out warranting interference of this Court under Article 227 of the Constitution of India.

The writ petition, therefore, is dismissed.

(GOVIND MATHUR), J.

ns.